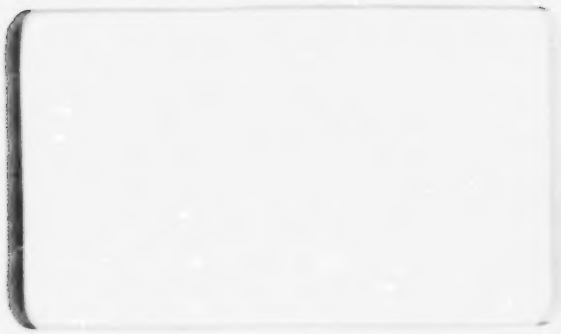

Alberta
SOCIAL SERVICES

IN THE INTEREST OF NATIVE CHILD WELFARE SERVICES

RECOMMENDATIONS FROM:
The Working Committee On
Native Child Welfare

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RECOMMENDATIONS FROM:

THE WORKING COMMITTEE ON NATIVE CHILD WELFARE

EDMONTON, ALBERTA APRIL, 1987

Having been appointed, by means of Ministerial Order dated January 4, 1985, to act in an advisory capacity to the Minister of Social Services and Community Health, and the Minister of Native Affairs, in recommending strategies aimed at developing and implementing policy and program alternatives for Indian and Metis child welfare services, we now herewith submit our Report to the Minister of Social Services, the Minister of Community and Occupational Health, and to the Minister of Municipal Affairs.

May it please the Ministers.

HENRY THIESSEN
CHAIRMAN

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PREFACE

Throughout history, Native people have lived according to a code of ethics. A central aspect of this code of ethics is to love, care, and respect children. However, since Native people often express feelings in different ways than non-Native people, cultural customs and traditions have often been misunderstood.

Native Elders have taught their people self-discipline, respect for land, and how to survive under difficult circumstances. These aspects of heritage are passed down from one generation to the next through the use of stories.

The stories that are told by the Elders and the actions of Native people reflect the following code of ethics:

"1. Each morning upon rising, and each evening before sleeping, give thanks for the life within you and for all life, for the good things the Creator has given you and others and for the opportunity to grow a little more each day. Consider your thoughts and actions of the past day and seek for the courage and strength to be a better person. Seek for those things that will benefit everyone.

"2. Respect. Respect means 'to feel or show honor or esteem for someone or something; to consider the well-being of, or to treat someone or something with deference or courtesy'. Showing respect is a basic law of life.

- treat every person, from the tiniest child to the oldest Elder with respect at all times.
- special respect should be given to Elders, parents, teachers, and community Elders.
- no person should be made to feel "put down" by you; avoid hurting other hearts as you would avoid a deadly poison.
- touch nothing that belongs to someone else (especially sacred objects) without permission, or an understanding between you.

- respect the privacy of every person. Never intrude on a person's quiet moments or personal space.
- never walk between people that are conversing.
- never interrupt people who are conversing.
- speak in a soft voice, especially when you are in the presence of Elders, strangers or others to whom special respect is due.
- do not speak unless invited to do so at gatherings where Elders are present (except to ask what is expected of you, should you be in doubt).
- never speak about others in a negative way, whether they are present or not.
- treat the earth and all of her aspects as your mother. Show deep respect for the mineral world, the plant world, and the animal world.
- show deep respect for the beliefs and religions of others.
- listen with courtesy to what others say, even if you feel that what they are saying is worthless. Listen with your heart.

"3. Respect the wisdom of the people in council. Once you give an idea to a council or a meeting it no longer belongs to you. It belongs to the people.

"4. Be truthful at all times, and under all conditions.

"5. Always treat your guests with honor and consideration. Give your best food, your best blankets, the best part of your house, and your best service to your guests.

"6. The hurt of one is the hurt of all, the honor of one is the honor of all.

"7. Receive strangers and outsiders with a loving heart and as members of the human family.

"8. All the races and tribes in the world are like the different colored flowers of one meadow. All are beautiful. As children of the Creator they must all be respected.

"9. To serve others, to be of some use to family, community, nation or the world is one of the main purposes for which human beings have been created. Do not fill yourself with your own affairs and forget your most important task. True happiness comes only to those who dedicate their lives to the service of others.

"10. Observe moderation and balance in all things.

"11. Know those things that lead to your well-being, and those things that lead to your destruction.

"12. Listen to and follow the guidance given to your heart. Expect guidance to come in many forms: in prayer, in dreams, in times of quiet solitude and in the words and deeds of wise Elders and friends."

(Four Worlds Project and P. Lane, The Sacred Tree, University of Lethbridge, 1984, pp. 74-82.)

These ethics were the traditional practices of Native people. The cultural transition has caused many problems. Today, Native people are in various stages of cultural transition and, therefore, some have very little experience or understanding of Native values.

It is also known that social systems such as the child welfare and criminal justice systems have had a significant impact on Native people. These social systems have been used to intervene in the lives of Native families and children. Unfortunately, the helping systems have failed to a large degree due to a lack of understanding of the underlying philosophy of Native culture and, therefore, have added to the confusion which already existed respecting the identity problems being experienced by Native people.

1.0 PURPOSE OF THE REPORT

If the interests of Native families and children are to be served, then it is imperative that traditional Native child rearing practices be recognized and that Native communities resume control over their children. The purpose of our report, therefore, is to recommend to the Minister of Social Services, the Minister of Community and Occupational Health, the Minister of Municipal Affairs, to the Attorney General, to the Solicitor General, to the Minister of Advanced Education, to the Minister of Culture, to the Minister of Labour, and to the Minister of Career Development and Employment, and to their other cabinet colleagues, *long range strategies for changes in philosophy, legislation, policy, program and service delivery respecting child welfare services for Native children.*

2.0 BACKGROUND

After the tragic death of Richard Cardinal, a lonely sixteen year old Native youth whose emotional problems seemed to have been misunderstood by most people, the Honourable Dr. Neil Webber, announced on December 7, 1984 the establishment of a Working Committee on Native Child Welfare. This Committee was to act in an advisory capacity to the Minister of Social Services and Community Health and to the Minister responsible for Native Affairs in recommending strategies aimed at developing and implementing policy and program alternatives for Indian and Metis child welfare services.

The Committee, composed of nine Native and non-Native citizens at large and four government officials, was mandated to examine all matters pertaining to Indian and Metis child welfare services and to make *recommendations for immediate implementation* as well as *strategies and options which would serve the long range interests of Native families and children.*

We undertook to review the issues and concerns which were raised by Native people during the preparation of the new Child Welfare Act and issues which were identified by the Metis people during a series of Regional Seminars conducted throughout the province by the Metis Association of Alberta in 1984.

We reviewed the recommendations made, over the past decade, by non-Native people about the child welfare system in Alberta, which were contained in reports written by Judge Catonio, the Provincial Ombudsman, Justice Cavanagh, Dr. Thomlison, and Judge White. Throughout, we focused on developing recommendations which would ensure improvement of conditions and services for Native families and children.

Our Committee undertook, as an early priority, to make several recommendations to the Ministers. Our initial concern was that *more Native people should be hired by Alberta Social Services in professional and para-professional child welfare positions.* This action will begin the process of involving Native people in the design and delivery of child welfare services. An additional cross cultural benefit will be gained by non-Native and Native staff working together on common objectives.

To date Alberta Social Services has met a target set in 1985 of increasing the number of its Native employees by approximately sixty Native persons through the regular recruitment process in filling vacancies.

Alberta Social Services committed itself in 1986 to further increase the overall number of Native employees by setting a new target to recruit an additional 60 Native employees into child welfare services when filling vacancies in departmental operations.

The Provincial Government also committed itself in 1985, on the basis of recommendations made by our Committee, *to develop the mechanisms for recruiting and training Native people for social services at the community level in Native communities.* A target was set to develop a Native

human resource pool of approximately 150 Native social service workers in the Native community.

The last noted objective has not yet been fully met, but beginning progress is noticeable. Concerted efforts will be necessary to achieve these objectives as initially set out in 1985.

We also recommended that extensive work be undertaken by Alberta Social Services on the issue of 'permanency planning' with special focus on the needs of Native families and children. We recognize the urgency and the need for Alberta Social Services to involve the Native Community and Native resources in case planning and case management for all Native children presently in care as well as for Native children requiring services in the future.

Moreover, our Committee collaborated in the development of Native Child Welfare Services Practice Guidelines ensuring that the cultural and traditional practices of Native families and their children would be respected by child welfare staff when delivering services to Native people. We recommended that the Minister of Social Services approve and disseminate the guidelines. The Minister approved the guidelines in the fall of 1985, and copies were disseminated to child welfare staff and to Native communities and agencies. The committee is now of the opinion that the guidelines need to become policy.

In addition to making recommendations for immediate implementation, we followed the mandate as set out in the Ministerial Order. Our Committee studied options for long range strategies in the interest of Native families and their children. Accordingly, this report focuses on the fundamental issues affecting Native child welfare services. Many of our recommendations have been echoed in other reports prepared over the past decade. *The single most important theme, which is woven throughout our report, is the issue of transferring authority and control to Native communities for the delivery of their own services within the framework of fundamental Native cultural traditions, values and practices.*

3.0 A BRIEF OVERVIEW OF THE CHILD WELFARE SYSTEM

Native people have, for many years, expressed their concerns about the effects of child welfare services on their families and children. In recent years, these concerns have become a public issue. This was one of the factors leading to changes in the Child Welfare Act. *The consistent view from Native people across the province is that too many Native children are removed from their families and their communities by child welfare workers. Once removed, Native children too frequently are placed into care of or adopted by non-Native families. Native children remain separated from their families and communities longer than other children in the child welfare system, and consequently they become estranged from their people, their culture, and their identity. Native children become victims rather than beneficiaries of a system of services that is supposed to look out for their welfare.*

In Alberta, as in other provinces across Canada, Native communities are served *predominantly by non-Native child welfare staff* extending services through legislation which authorizes a child welfare program to be provided to all children requiring services, Native and non-Native. Alberta Social Services is responsible for delivery of child welfare services and these services are organized out of the six regional offices of the department. Each region provides a full range of services under the child welfare program.

For example, child protective services include a range of activities that ensure that children in need of protection from neglect or abuse are, in fact, receiving services. This includes such things as investigation of a child's potential need for protection, apprehension and emergency placement into care, supervision of children remaining in the parental home under voluntary agreements with the parents, or court orders, and homemaker services to maintain a stable home environment for children when parents are temporarily incapacitated or absent.

Adoption services include legal arrangements for the permanent placement of children who cannot return to their parental home, the recruitment and assessment of adoptive families, and the placement of children with adoptive families.

Preventive services include such things as guidance and counselling services to children and their parents to prevent the need for protection, as well as training in child care for parents of newborns, pre-schoolers, adolescents and other age groups.

An important distinction needs to be made between statutory and non-statutory services. The provision of protection from neglect and abuse for children, and the adoption of children both require the temporary or permanent transfer of parental rights for the care and custody of children, and, in some cases, the limitation of parental access to children. Transfer and limitation require *statutory authority* exercised by persons authorized by law. *Preventive services,* by contrast, are entirely voluntary (that is, done with the consent of the person served) and hence, *do not require statutory authority,* and may be provided by any public or private agency.

The powers and responsibilities of child welfare staff and others such as judges, police, and lawyers are described in the Child Welfare Act. The Act makes them responsible for interpreting the child's need for protection as well as the kind of care and services that reflect the best interests of the child. Interpretations involve value judgements about the need and the interests of the Native child. *In making such value judgements, these people are guided by their own set of values, which is determined principally by their own upbringing in non-Native society.*

The following statistics from July 31, 1984, show how much more frequently Native children, as compared with non-Native children, were taken into protective care, and how apprehension and court orders for placement were more frequently used for their protection.

They illustrate how Native children were removed from their families and communities, and how, as a consequence, they became estranged from their own community and identity.

The statistics indicate that Native children, *in 1984,* were six-and-a-half times more likely to receive child protective services than other children in the province. Specifically, although Native children represented 34% of the total number of children receiving services at that time, all Native children in Alberta constituted only 5% of the total Alberta population 0 - 19 years of age. (see Chart 1)

CHART 1
ALBERTA POPULATION 0-19 YEARS OF AGE

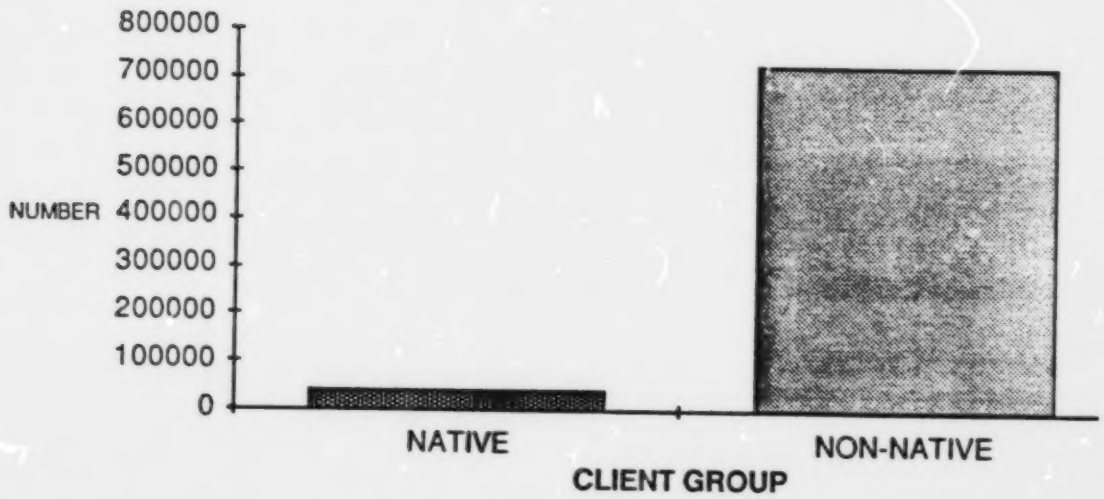
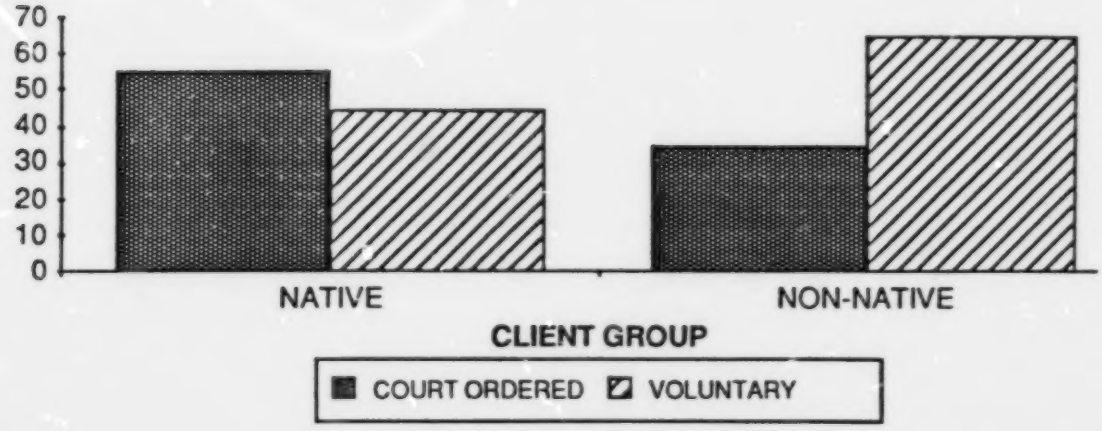


Chart 2 indicates that 41% of all Native children received those services under voluntary agreements. By contrast, 62% of non-Native children received services under voluntary agreements.

CHART 2

PERCENTAGE OF VOLUNTARY AND COURT ORDERED SERVICES



From its legislative base to practices of workers in the field, the child welfare system failed to take adequate account of *the unique characteristics of Native culture and to give recognition to the unique structure and function of the Native extended family, and to the critical corporate, political, and cultural roles of the Indian Band, and Indian or Metis community.*

4.0 NATIVE ASPIRATIONS

For hundreds of years, Native communities have protected and cared for their own children through the extended family. Traditional practices of customary care still exist to some extent in most Native communities, but they have largely been supplanted in the last three decades by the courts and child welfare services. Both the resources and the legal authority for services have displaced the customary practices presently used informally and only occasionally within communities as a way to avoid the involvement of government services. Nonetheless, they could represent a viable alternative to government services, if *given recognition by government*, and *the necessary resources to support their operations properly*. What is needed now is a strategy fully supported by government that will reverse this trend of the past three decades -- a strategy for re-development of Native communities which can result in communities regaining control over the care for children.

It is our belief that Native people in recent years have advocated an alternative approach to the care and protection of Native families and children. *They advocate Native participation in the planning, development, delivery and management of services for Native families and their children, and Native control of these services by Indian Bands and other Native communities.* By assuming responsibility and control for child welfare services for families and their children, Bands and communities can ensure that services accommodate the social and cultural needs of children as well as their physical and educational needs.

Through community control, services for Native children and their families would be based in the Native community and reflect local Native customs and standards. Native specific services can help reduce the incidence of Native children being removed and alienated from their culture and identity. In this way, services for Native families and children can be more effective than services which are not Native specific.

The many statements of Native people in Alberta on child welfare reflect a common, ultimate goal of Native communities across Alberta that government establish Native child welfare policy driven by the values, aspirations, culture, traditions, and practices of Native people.

While it is apparent that most Native communities will agree on the ultimate goal of community control of child welfare services for Native children, it is equally apparent that not all Native communities in Alberta are ready to assume this responsibility and control immediately. A few, like the Blackfoot Tribe and the Lesser Slave Lake Indian Regional Council, have been involved in the delivery of child welfare services to the members of their communities for a number of years. Some are currently organizing and negotiating the development of their own community-based services. Other communities, however, are just beginning to plan for the development of their own services. These objectives, therefore, cannot be acted on immediately in all Native communities to the same degree at the present time.

The Committee envisions a 'progressive development' of community services for Native families and children as a process that will vary in speed from community to community. Each community could move, at its own pace, through a transition from extension of government services into Native communities through the steps of consultation on cases and services between government and communities on service delivery, to the transfer of responsibility and control of all or some child welfare services from government to the community.

This process can be viewed as a succession of cumulative steps, each step building on earlier steps toward the goal of community control. Some communities will begin with regular consultations with government child welfare workers responsible for the protection and care of Native children and the counselling and support of their families. In these consultations, community representatives and government workers can plan for the provision of care and services for children and their families from the local community or area.

Other communities may begin by consulting with government staff on providing intervention and support services directly, through the use of community resources, or by establishing a child welfare committee. Yet some communities may be ready to negotiate the transfer of authority and resources from government to the community for a full range of preventive, supportive, protective, and adoption services to make up a child welfare program.

5.0 LONG RANGE STRATEGIES FOR NATIVE CHILD WELFARE

The following objective was stated in our Committee's terms of reference.

Consider the implications of the provisions of the new Child Welfare Act and other legislation or programs as they relate to Indian and Metis children and the preservation and strengthening of the family unit, and to recommend to the Ministers long range strategies and options in the following areas:

(i) legislation;
(ii) policies, standards, and procedures;
(iii) prevention;
(iv) service delivery mechanisms, including the transfer of authority and control to Indian and Metis people;
(v) training and manpower;
(vi) financing.

This objective provided a useful framework for the development of long range strategies built on values, aspirations, cultures, traditions and practices of Alberta's Native peoples. The recommendations presented follow the above noted areas in sequence.

We believe that while our earlier recommendations were and still are valid, they are supplementary to the need for a fundamental change in course insofar as the shape and

direction of Native child welfare services are concerned. A *change in direction as envisioned by our Committee will require a strong commitment not only on the part of the Federal and Provincial Government respectively, but also on the part of the Indian and Metis people themselves.*

Our recommendations have been designed from the position that child welfare services for Native children, whether the children are Status Indians, Non-status Indians, or Metis, should be NATIVE SPECIFIC, reflecting the customs and values of Native cultures in form and content.

Moreover, Native child welfare services should be COMMUNITY BASED AND CONTROLLED, delivered to Native families and their children within their own communities, and the nature of the services should be NATIVE DETERMINED, to be planned and developed for Native people by Native people.

Adherence to these principles will require a commitment by Government to ensure the opportunities for the development of community based services for Native families and their children, and the transfer of control for such services from Government to Native communities. The course envisioned by the Committee calls for highly individualized delivery of family and child welfare services tailor-made to Native families and their children in each community.

It is important to recognize a period of transition during which Native specific services can develop under Native control, as Native communities assume authority and responsibility along with accompanying accountability. To ensure proper and effective evolution from Government control to Native Community control, it is advisable that evaluative mechanisms be established to measure the outcome of the overall thrust.

Insofar as our Committee broke some ground in developing forms of consultation and discussion with Native people, and while we appreciate the consultative efforts exhibited by Government over the past few years, *we must*

emphasize that it is imperative that Government continue its consultations with Native people in developing and implementing options and strategies. Policy and standards affecting Native people should not be developed without involvement of the Native community.

Our recommendations to the respective Ministers are the outcome of a synthesis of review, study, debate and deliberations, but above all, of listening to Native people's needs and concerns.

5.1 Recommendations Respecting Legislation

Our Committee chose not to become blinded by historical differences on jurisdiction with reference to Status Indians; however, we acknowledge the fact that the interests of Status Indians are governed by the Indian Act. Although the Federal Government could provide child welfare services for Status Indians, the Indian Act is silent on protecting Indian children from abuse and neglect. To date, the Federal Government has chosen to respect the Provincial Child Welfare Act, which applies to any child in need of protective services, as law of general application.

Nevertheless, we must point out that there are prevailing opinions on the part of several Indian leaders and their communities, that Provincial child welfare law should not apply to their children. There is a concern that acceptance of Provincial child welfare law by Status Indians living on reserves could interrupt the traditional relationship which presently exists between these Indians and the Federal Government as a result of the Treaties.

It is essential, however, that child welfare legislation be as enabling as possible in spirit and content to facilitate the transfer of authority and control from Government to Indian and Metis people, and that it recognize customary care practices.

5.1.1 It is recommended that the Ministers engage in tripartite consultations with Indian Councils, and representative organizations, and with the Federal Government to seek resolution to the ambiguous issue of jurisdiction over child welfare services for Status Indians.

Section 2 of the Child Welfare Act, Matters to be Considered, refers to 'cultural heritage' and Section 73 of the Act refers to the Indian child (that is, the Status Indian child); however, the plight of Metis and non-Status Indian children also requires unique attention, as does the recognition of their aboriginal rights.

5.1.2 Our Committee recommends that the Child Welfare Act be expanded to include reference to non-Status Indian and Metis children.

5.1.3 It is recommended that Alberta Social Services explicitly state what and how duties and powers can be delegated to Indian councils, as well as to Indian and Metis agencies, under the auspices of the Child Welfare Act.

We are aware that the Minister is able to delegate powers and duties currently. However, in view of the recommended long range strategies, envisioned by our Committee, we believe that clarification of the legislation is advisable.

5.1.4 Our Committee recommends application of the role of the Children's Guardian, but with extensive use of guardians of Native origin where it concerns Native children.

5.1.5 We further recommend, as an option for a long range strategy, a feasibility study to be conducted about extending Children's Guardian powers and duties directly from the Minister to Indian and Metis agencies.

5.1.6 It is recommended that Section 73 of the Child Welfare Act address the issue of the right of the surrendering biological mother, her child, and that of the Native community in cases of surrender of guardianship.

Our Committee recognizes the sensitivity of this issue, and therefore, we recommend that resolution be sought in consultation with Indian and Metis people and communities.

Committee members and the Regional Advisors on Native Issues from Alberta Social Services undertook community consultations on long range strategies concerning Native Child Welfare. In several instances discussions in local communities tended to center on clarifying the intent and spirit of the Child Welfare Act, and that of the *NATIVE CHILD WELFARE SERVICES PRACTICES GUIDELINES*. Native people who were consulted expressed a strong interest in child welfare legislation and services.

5.1.7 It is recommended that community consultations continue in the interest of discussing Native child welfare services and the Child Welfare Act.

At present, there is only one Native person on the Appeal Panel. Our Committee believes that since Native people are, in the main, unaware of their rights under the Child Welfare Act, they are unable to access the services offered through the Appeal Panel. It is our belief that with increased knowledge of the Child Welfare Act and their rights therein, more Native people will avail themselves of the services offered through the Appeal Panel. This action will result in the need for greater Native representation on the Appeal Panel.

5.1.8 It is recommended that the Appeal Panel(s) have sufficient Native representation. Representation should be relevant to the respective Native culture, geography, and to the percentage of the Native children's population in a given area.

5.1.9 Further, we recommend that all Appeal Panel members receive training respecting Native child welfare policies and the cultural values inherent in those policies.

5.2 Recommendations Respecting Policy, Standards and Procedures

Our vision of *Native child welfare services* can only be accomplished if authority and control along with responsibility and accountability is transferred from government to local Native communities. It is clear that a transition needs to take place for Native communities in preparing to assume control and authority. *We believe that by working together toward a common vision, Native communities and Government can breathe life into the concept of Native people once again taking care of their own families and children.*

5.2.1 Our Committee recommends that the Provincial Government state its position on Native child welfare, and that a Native specific Indian and Metis child welfare policy be developed as a directional guide for the development of community based Native child welfare services.

The community consultations reflected positive reception of the guidelines. However, we received many suggestions from Native people that the guidelines become policy instead of being left elective to the eye of the beholder.

This becomes a necessity during the transitional period when non-Native departmental staff will still be involved in administering services. It is very important that changes in attitude and professional practices take place. Some Alberta Social Services employees seem to view the guidelines as unenforceable as they do not constitute policy, and tend to ignore them.

It is recommended that:

5.2.2 The guidelines become policy, and that Alberta Social Services undertake consultations with Native leaders or their designates in the process of developing policies.

5.2.3 Pursuant to recommendation 5.2.2 Alberta Social Services develop a Native Child Welfare Handbook for policy, standards and procedures as applicable to Status Indian, Non-Status Indian, and Metis children.

5.2.4 It is recommended that a comprehensive evaluation be conducted every three years to examine the outcome and effectiveness of Native Child Welfare policies and practices.

With the emergence of Native child welfare agencies, the need will arise to establish standards for Native child welfare services to ensure some consistency and an ability to hold Native communities and agencies accountable for services delivered by them.

It is recommended that:

5.2.5 Alberta Social Services take on a role in developing Native child welfare standards, but in constant collaboration and consultation with Native communities and agencies.

5.2.6 Alberta Social Services lend its resources to Native communities and Native agencies as they commence the process of developing policies, procedures and practices based on community standards.

5.2.7 When an interpreter is required to understand the situation, one should be provided. Furthermore, it is recommended that all District Offices of Alberta Social Services have a list of interpreters recognized by Alberta Social Services and by the Native Community.

5.2.8 Alberta Social Services explore ways of ensuring that pertinent information respecting a client can be shared with agencies which may be involved with the child and/or family.

5.3 Recommendations Respecting Prevention

Our experience indicates that the *first 24 to 72 hours of intervention with a family determines whether a child is apprehended and comes into care of a child welfare system.* Notwithstanding that a degree of intervention will often be required, we believe that where preventive and support services are available, fewer children will come into care.

The design and implementation of Native specific preventive and support services are part of a larger community development process which will likely occur at a different pace for each Native community. The following are some examples of preventive and support services which could be developed by Native communities or agencies:

- spiritual support and healing;
- Elders Council;
- education programs;
- Native mental health workers and family court workers;
- recreation programs;
- child-rearing and development training;
- life-skills programs;
- single parent support groups;
- support groups, with reference to spousal assault, sexual abuse, death, and grieving;
- extended family parenting services; and,
- homemaker programs.

Our Committee heard, on repeated occasions, concerns expressed about the need for families receiving *a fair and equitable form of assistance* when caring for dependent children from extended family. There are also concerns about the *existing confused state of fragmentation of programs on and off reserves.*

We recognize this area as a crucial one, where practical non-intrusive assistance can be preventive in nature, precluding the removal of Native children from their communities.

5.3.1 Our Committee recommends that the Provincial Government work out a Memorandum of Understanding with the Federal Government on the funding and administration of an equitable Guardian Allowance Program.

5.3.2 It is recommended that Guardian Allowance rates not be competitive with foster care rates, but that rates for either program be established on principles of equity.

5.3.3 Criteria should be developed for the application of family support services and correspondingly for a recognition of special needs rates in the Guardian Allowance.

5.4 Recommendations Respecting Service Delivery and Financing of Native Child Welfare Services

During the process of transfer of authority and upon conclusion of a trilateral or bilateral agreement, Native communities will continue to require support from Alberta Social Services, as well as from other Provincial Government Departments and agencies such as, e.g. the Solicitor General's Department, Alberta Alcohol & Drug Abuse Commission, Alberta Community and Occupational Health, and others, and from respective Federal Government Departments. *In addition, resolving Native child welfare issues also means having to confront the socio-economic development of Native communities in Alberta.*

If the Native people in Alberta are to be successful in assuming control of child welfare services, then long term renewable funding methods should be developed in consultation with Native communities. *The Committee believes strongly that without appropriate funding on a long*

term basis, any initiative is doomed to fail, and, therefore, the process of transferring authority for Native child welfare should not occur unless government is prepared to work together in a spirit of harmony and cooperation with the Native people living in Alberta, including a willingness to establish adequate funding methods.

As the Federal Government is responsible for Status Indians and, since there are at present cost-sharing arrangements between the Government of Alberta and the Federal Government, we believe that the Government of Alberta should continue to explore long term funding arrangements with the Federal Government.

Moreover, we believe that the short term costs of transferring authority will be quite high. This should be expected because of the start-up costs involved for, such matters as developmental work, training, equipment, and capital facilities. This expectation, however, should in no way diminish government's commitment to transfer authority of child welfare services to Native communities in Alberta.

It is recommended that:

5.4.1 *Developmental funding be provided by Alberta Social Services and/or the Federal Government to Native communities to assist them in planning for transfer of authority to deliver child welfare services. This funding will help the Native communities to prepare for negotiating Native specific child welfare agreements with the Provincial and Federal Governments.*

5.4.2 *Alberta Social Services establish a long term plan for transferring authority for the delivery of child welfare services to Indian and Metis communities.*

5.4.3 *This plan have a time horizon of 3 to 5 years and, that core renewable funding be committed for this time frame rather than on an annual basis, in order to ensure that plans have a chance of being implemented.*

5.4.4 Alberta Social Services negotiate with Indian and Northern Affairs Canada for cost-sharing of the transfer of authority to Indian communities for the delivery of child welfare services to Indian families and children, while involving Indian Band Councils. Furthermore, negotiations should be guided by the principle that long term core renewable funding is required, if transfer of authority is to work effectively and efficiently.

5.4.5 During the transition toward transfer of authority for the delivery of child welfare services to Native communities, Native people be involved in the recruitment, screening and approval of Native foster parents.

5.4.6 Departmental staff must rely on Native support services in enhancing the continuity of case management.

5.4.7 Alberta Social Services work with Native organizations to develop appropriate media programs respecting the rights of Native children under the Child Welfare Act and any changes of services to Native children.

5.5 Recommendations Respecting Training and Manpower

Trustworthiness and interpersonal trust are important in the Native culture. Perception of trust or distrust is of particular importance in cross-cultural interactions.

Since Alberta Social Services, within the framework of the Child Welfare Act, will have a supportive role in the delivery of child welfare services to Native children, even after transfer of authority to Native communities has taken place, it is essential that departmental staff develop an appreciation for the importance of trustworthiness in working with Native people.

Therefore, training and education must stress the skills, knowledge, and expertise to deliver child welfare services to both Native and non-Native children, while departmental staff will need to be trained to use culturally appropriate communicative and trustworthy behavior when working with Native people.

5.5.1 *We recommend that Alberta Social Services continue to establish annual targets for recruiting Native people into child welfare positions for departmental operations.*

5.5.2 *Further, we recommend that the Provincial Government continue the commitment to develop and maintain mechanisms to train Native people to work in social services at the community level.*

5.5.3 *We recommend that seminars be held with Alberta Social Services staff to explain policies respecting the delivery of Native child welfare services. In these seminars the cultural values inherent in each of these policies should be discussed. Native people should be involved in the design and implementation of the seminars.*

Further, Alberta Social Services should use training services already available through Native agencies.

During the next 3 to 5 years, as the transfer of authority takes place, Native people will require specific training and education in order to become effective and recognized child care workers, child welfare workers, supervisors and managers.

It is recommended that:

5.5.4 *Alberta Social Services work with Alberta Advanced Education, Alberta Career Development and Employment, the Federal Government as well as with specific educational and training institutions to effect curricula which will provide Native people with*

theoretical knowledge and practical skills enabling individuals to carry out the duties and responsibilities of child care workers, child welfare workers, supervisors and managers within the context of Native tradition, practices, and values.

5.5.5 Where appropriate, when educational or training institutions in the province provide such training leading to recognized credits, that credits are transferable where feasible to and be recognized by universities in Alberta.

5.5.6 That respective professional certification and registration processes recognize competency not only within the context of the dominant society, but also within the context of Native traditions, practices and values.

5.5.7 Alberta Social Services staff assist Native communities in the preparation of proposals for the development of community based services.

5.5.8 All personnel working in the field of Native child welfare, including judges, lawyers, law enforcement officials, psychologists and medical staff, seek training respecting cultural customs, customary practices and traditions.

5.6 Recommendations Respecting Native Young Offenders

Although our Committee did not conduct an in-depth study of the Young Offenders Act, we believe that the principles of Native specific, community based and controlled, and Native determined services should also apply to address the issue of Native youth in the justice system. Clearly, there is an important linkage that needs to be made between Native child welfare, Native young offenders, and violence in the Native Community.

5.6.1 Our Committee recommends that the Solicitor General sanction Native Practice Guidelines respecting service delivery for youths under the Young Offenders Act. We further recommend that these Practice Guidelines be integrated with Native Child Welfare Policies developed by Alberta Social Services in order that both departments can work together in meeting the needs of the Native child and the family.

5.6.2 We further recommend that the Solicitor General effect long range strategies which focus on services and facilities dealing with Native youth in the justice system.

5.7 Recommendations Respecting Mental Health Services

Although our Committee did not conduct an in-depth study of the availability and quality of mental health services for Native people in the province, we believe that the principles of Native specific, community based and controlled, and Native determined services should be applied to these issues. Clearly, there is an important linkage that needs to be made between Native child welfare, mental health, and family violence in the community.

5.7.1 All of our recommendations are directed towards the improvement of services to better meet the needs of Native people. With respect to mental health, it is important that the Ministers understand that Native people believe in a holistic concept of being; that is, body, mind, emotion and spirit. It explains the importance of harmony of all four in order to achieve health. Accordingly, our Committee believes strongly that the access for Native families and their children to mental health services must be improved, and that traditional healing practices should become part of a mental health approach available to Native people. Therefore, we recommend that a Native Specific Mental Health System be developed to serve the needs of Alberta's Native people.

5.7.2 We recommend that additional funding be provided for preventive health services for Native communities. This could be accomplished through the development of new Family & Community Support Services initiatives in Native communities, or through alternate program funding from Alberta Community and Occupational Health, and/or from Health and Welfare, Canada.

Furthermore, we recommend that funding be allocated for cultural and recreation programs in Native communities since these types of programs can be used to develop self-esteem among the Native youth.

5.7.3 We recommend that all existing and new mental health facilities which are to serve a substantial Native population incorporate traditional healing practices by engaging Elders and Native healers, recognized by the native community, e.g. as staff or case consultants.

5.8 Recommendations Concerning The Working Committee On Native Child Welfare

The Committee has now fulfilled its mandate by having functioned in an advisory capacity to the Ministers. It has made recommendations for immediate implementation, and it has studied options and made recommendations for long range strategies in the interest of Native child welfare services.

The Committee sees the necessity and benefit of a Native advisory committee assisting the Minister of Social Services and her department during the implementation of the recommendations contained in this report.

5.8.1 The Committee recommends that the Minister of Social Services establish a Native Advisory Committee, consisting of Indian and Metis members representing professional and political expertise as well as regional representation, to advise the Minister during the implementation of Native services initiatives.

5.8.2 The Committee recommends that the Working Committee on Native Child Welfare be terminated, now that the Committee has met its obligations.